

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KENNETH T. BOSLEY,	:	CIVIL NO. 1:07-CV-1380
	:	
Plaintiff	:	(Judge Conner)
v.	:	
	:	
DAVID R. BOSLEY, SR., et al.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 30th day of January, 2008, upon consideration of plaintiff's motion to amend (Doc. 15), requesting that his proof of service (Doc. 13) be amended to indicate that the server was the "United States Postal Delivery Service," and the court finding that service by mail is insufficient to satisfy the requirements of Federal Rule of Civil Procedure 4(c)(1), see FED. R. CIV. P. 4(c)(1) ("Any person who is at least 18 years old and *not a party* may serve a summons and complaint." (emphasis added)), it is hereby ORDERED that the motion to amend is DENIED as follows:

1. Plaintiff shall effect service of a summons and a copy of the amended complaint upon defendants David R. Bosley Sr. and Pamela A. Bosley via a method permitted by Federal Rule of Civil Procedure 4(c)(1) and shall file proof thereof with the court. See FED. R. CIV. P. 4(l) (setting forth rules for proof of service), 4(m) (establishing time limit for service); see also L.R. 15.1.

2. The briefing schedule on plaintiff's motion for preliminary and permanent injunction (Doc. 2) is STAYED until plaintiff complies with the preceding paragraph.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge